

Summary Minutes of the
Delta Protection Commission Meeting
Thursday, August 26, 2010

City of Antioch – Community Center
300 L Street
Antioch, California 94509

ADMINISTRATIVE AGENDA

1. Call to Order/Flag Salute.

Commissioner Piepho called the meeting to order at 5:40 p.m.

2. Welcome Commission Members.

Commissioner Piepho welcomed Commissioners and guests to the meeting.

3. Roll Call.

Present: Chair Nottoli; Commissioners Albright, Brand, Ferguson, Martin, Nomellini, Pegos, Piepho, Provenza, Reagan, Ruhstaller, van Loben Sels and Vick. Absent: Commissioners Cabaldon, and Eggman.

4. Public Comment. Opportunity for Members of the Public to Address the Commission on Items Not on the Agenda.

No one addressed the Commission.

CONSENT AGENDA Items 5-8)

5. APPROVE Minutes of July 29, 2010 Meeting

6. Find That the Projects to be Implemented by Hart Restoration and Ducks Unlimited as a Component of the Commission's Working Landscapes Program, as Approved Under the Awarded Grant, Are Categorically Exempt From the Requirements of the California Environmental Quality Act

7. Receive Informational Update on Workshops and Presentations Facilitated by Commission Staff-Consulting Team Relative to the National Heritage Area Process Underway Pursuant to Provisions of SB X7-1

8. Receive Informational Update on Workshops and Draft Documents Relative to the Development of a Blue Print Report on the Feasibility of Establishing Links of The Great California Delta Trail in Contra Costa and Solano Counties

Commissioner Ruhstaller moved approval of the Consent Agenda; Commissioner Vick seconded. The Consent Agenda was approved unanimously by voice vote.

Regular Agenda (Items 9-14)

9. Receive Informational Presentation from Craig Wilson, the Delta Watermaster Recently Appointed by the State Water Board Pursuant to the Provisions of SB X7-1.

Craig Wilson, CA Water Board, reported that as the new Delta watermaster, his position is a four year term that would exercise authority and act as a single contact to focus legislative attention on Delta water issues that are administered by the water board. Authority of the position is limited to water rights administration, enforcement and reporting. Mr. Wilson indicated that he is dedicated to working with entities rather than against them and will make periodic updates to the Commission upon request.

10. Receive Update on Preparation of Primary Zone Study from Douglas Environmental, and the Primary Zone Study Advisory Committee, and Take Action on Items Submitted for Consideration, Including Draft Letter for Submittal to the Legislature Pursuant to Provisions of SB X7-1.

Doug Brown, Douglas Environmental presented study area boundary maps for adoption by the Commission. Mr. Brown also presented a timeline of December 16, 2010 for completion of the study recommendations to be sent to the Legislature by and he shared a letter to the Legislature addressing the need for time beyond the July 1st deadline for successful completion of the study and associated recommendations. He noted that he received comments from the cities of Lathrop and Tracy and discussed which areas were added or excluded from the study areas.

Commissioner Martin asked if the unintentional taking of property rights will be addressed. Mr. Brown responded that it is a concern and the issue will be discussed in the report.

Commissioner van Loben Sels asked why the City of Rio Vista was in the study area as its not in the Primary Zone. Commissioner Vick responded that a small portion of Rio Vista (Airport Road) is in the Primary Zone.

After a lengthy discussion Mr. Brown was directed by the Commission to proceed with evaluating each study area utilizing criteria to rank the study areas as developed by the Primary Zone Study Committee.

John Herrick, South Delta Water Agency stated that the Commission and its consultant should seek out individual landowners' input before recommendations are made on the study areas.

Bill Geyer, Resource Landowners Coalition said he felt it was important to have compelling criteria for lands to be in the Primary Zone, and that all recommendations submitted to the Legislature should be in one package. Mr. Geyer also said the Delta Conservancy is a good thing as it would be able to help with transactional problems. He also said the Commission should add to its recommendations that certain lands could be included in the Primary Zone at the behest of the landowner.

Commissioner Ruhstaller moved adoption of the study area maps and recommended timeline; Commissioner Piepho seconded. The motion was approved 12:0 by voice vote. Commissioner Nomellini abstained.

11. A. RECEIVE Recommendation Options 1 and 2 Prepared by Commissioners Pegos and Reagan, Pursuant to Commission Discussion and Direction, for Establishment of an Advisory Committee as Provided for in SB X7- 1

Commissioner Pegos provided two draft options of charters for the advisory committee as provided for in SBX7-1. He asked that the Commission review the options and pick one.

Commissioner Albright stated that he favored Option 1 as it was more simplified for its principles.

Commissioner Piepho asked that monetary allowances be removed from Item 8 on the options.

B. ADOPT the Preferred Option, or Alternative Option, to Initiate Committee Formation.

Commissioner Piepho moved approval of adoption of Option 1 of the Commission Advisory Committee Charter in accordance with SBX7-1 as amended; Commissioner Vick seconded. The motion was approved unanimously by voice vote.

12. RECEIVE Informational Update from the Economic Sustainability Plan Committee on the Economic Sustainability Plan Process.

Linda Fiack reported that the Committee reviewed a workplan, a plan for more public outreach, and a framework for an Request for Proposal for consultant services to develop the Economic Sustainability Plan. Commissioner Piepho reported that the Committee again reviewed its list of stakeholders to reach out to and prioritize its list.

Vice Chair Reagan asked who would be drafting the RFP and if there will be a bidders conference. Ms. Fiack responded that Commission staff was drafting the RFP and there will be a bidders conference.

13. Receive Report From the Executive Committee and Executive Director, Including Informational Updates on Delta Stewardship Council and Delta Conservancy Activities, and Other Delta Initiatives and Commission Activities Underway, and Act on Recommendations as Determined Appropriate Pursuant to Commission Member Discussion.

Information was distributed to the Commission on the Stewardship Council and Delta Conservancy activities to date.

14. Comments and Announcements from Members of the Commission and Staff.

Commissioner Brand announced that this would be her last meeting. She stated that she has accepted a promotional opportunity with the Delta Stewardship Council.

Commissioner Piepho announced that she met with Gary Darling, Delta Diablo Sanitary District to discuss efforts by the San Francisco Bay Area Recycled Water Coalition to reclaim water usage. She said the district will also reach out to the Sacramento Sanitation district to discuss.

Commissioner Martin announced that the Discover the Delta foundation will have a ribbon cutting ceremony to open the fruit stand located at Highways 12 and 160. Secretary A.G. Kawamura, CDFA will be attending the event, and she invited the Commissioners to attend as well. Commissioner Martin also announced that the Department of Parks and Recreation will have a round of grant funding for the Community Park development grant program for underserved communities to build new parks.

15. A. CONVENE IN CLOSED SESSION: Under Government Code Section 11126(a)(1), the Commission will Meet in Closed Session Regarding Selection of a Candidate for the Commission Executive Director Position.

The Commissioners convened into closed session at 8:00 p.m. Commissioner Pegos recused himself from the Closed Session discussion.

B. REPORT OUT OF CLOSED SESSION.

Chair Nottoli announced that the Chair of the Personnel Recruitment Committee was given direction to offer the Executive Director position to one of the candidates.

16. ADJOURN.

The meeting was adjourned at 11:00 p.m.